

1
2
3 BILL NO. G-95-05-05

4 GENERAL ORDINANCE NO. G- 30-95

5 AN ORDINANCE amending the Thoroughfare
6 Plan of the City Comprehensive ("Master")
7 Plan by vacating an alley thereof.

8 WHEREAS, a petition to vacate a portion of dedicated right-of-way within the City
9 of Fort Wayne (as more specifically described below) was duly filed with the City Planning
10 Commission; and

11 WHEREAS, said Commission duly held a public hearing thereon; and

12 WHEREAS, said Commission has duly forwarded its recommendation to this body
13 approving said petition, and this body having held a public hearing on said vacation as
14 provided in I.C. 36-7-3-12; and

15 WHEREAS, this body concurs in the recommendation of the City Planning
16 Commission.

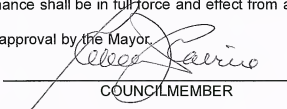
17 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE
18 CITY OF FORT WAYNE, INDIANA:

19 SECTION 1. That the petition filed herein to vacate a portion of dedicated right-
20 of-way within the City of Fort Wayne, more specifically described as follows, to-wit:

21 The eastern most five (5) feet of Springfield Avenue.

22 and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master")
23 Plan and is hereby approved in all respects.

24 SECTION 2. That this Ordinance shall be in full force and effect from and after
25 its passage, any and all necessary approval by the Mayor.

26 
27 COUNCILMEMBER

28 APPROVED AS TO FORM AND LEGALITY:

29 
30 J. TIMOTHY MCCAULAY, CITY ATTORNEY
31
32

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

** Public hearing to be held on _____,
the _____ day of _____, 1995,
in the Council Chambers.

Sandra E. Kennedy, City Clerk

Read the first time in full and on motion by Edmonds,
and duly adopted, read the second time by title and referred to the
Committee on Regulations (and the City Plan Commission
for recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Council Conference Room 128, City-County Building, Fort
Wayne, Indiana, on _____, 19____, the _____ day of _____
M., E.S.T.

DATED: 5-9-95

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____,
and duly adopted, placed on its passage. PASSED
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY				<u>✓</u>
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 12-19-95

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as ~~(ANNEXATION)~~ (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 30-95
on the 20th day of December, 19 95

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Don J. Schmitter
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 20th day of December, 19 95,
at the hour of 3:00 o'clock P, M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 20th day of December,
19 95, at the hour of 3:30 o'clock P, M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

BILL NO. G-95-05-05

REPORT OF THE COMMITTEE ON
REGULATIONS
CLETUS R. EDMONDS - REBECCA J. RAVINE - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the Thoroughfare
Plan of the City Comprehensive ("Master") Plan by vacating an
alley thereof

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
----------------	--------------------	----------------	---------------

<i>not a council member</i> <u>Jackie Leary</u>			
<u>Samuel J. Tatarico</u>			
<u>Cletus R. Edmonds</u>			
<u>Mark J. S. Smith</u>			
<u>Don J. Schmidt</u>			
<u>Gregory H. Bradbury</u>			
<u>David G. Long</u>			
<u>Rebecca Ravine</u>			

DATED:

Sandra E. Kennedy
City Clerk

CIC # 028214

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IN.,

April 12

RECEIVED FROM

BARRETT

THE SUM OF

Two Hundred

ON ACCOUNT OF

Vacation

PAID BY: CASH ☐

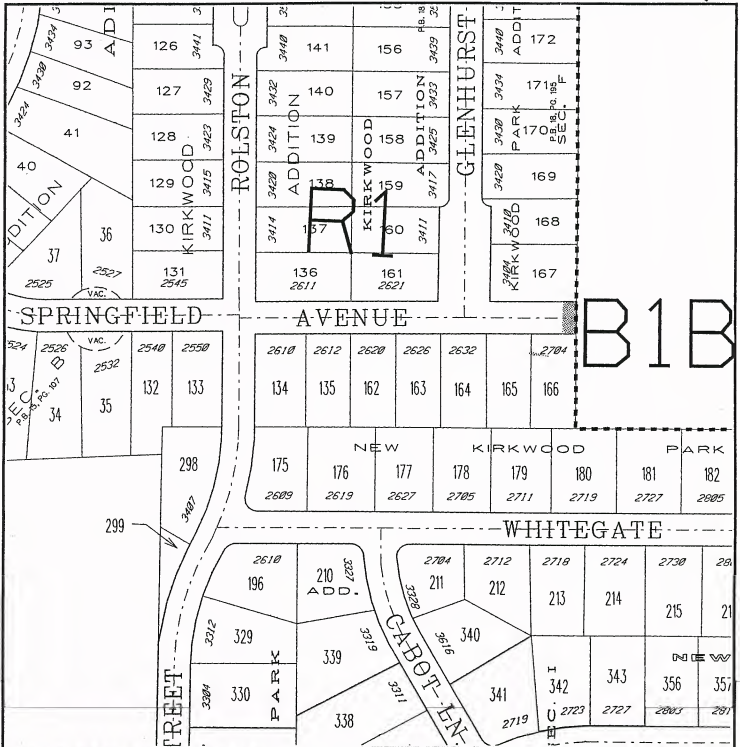
CHECK ☒

M.O. ☐

VACATION PETITION

AREA MAP

CASE NO. #581



COUNCILMANIC DISTRICT NO. 2

Map No. Q - 22

LW 4-22-95

R1 One-Family
R2 Two-Family
R3 Multi-Family
RA/RB Residential
PUD Planned Unit Dev.

B1 Limited Business
B2 Planned Shopping Center
B3 General Business
B4 Roadside Business
POD Professional Office District

M1 Light Industrial
M2 General Industrial
M3 Heavy Industrial
MHP Mobile Home Park



Vacation Petition

Community & Economic Development / 1 Main Street Rm. 830
Fort Wayne, IN 46802 / (219) 427-1140

I/We do hereby petition to vacate the following:

☐ Plat or portion of plat

☐ Easement

☒ Public Right-of-Way (street or alley)

More particularly described as follows:

Eastern most five (5) feet of Springfield Avenue right-of-way

(Please attach a legal description of the property)

The reasons for the proposed vacation are as follows:

To prevent access of thru vehicular traffic to and from the former Mutual

Security Life site located directly to the east of the right-of-way

to be vacated

(If additional space is needed please attach a separate page)

Lou Ann E. Holderman

Property owner(s) name(s) Richard L. Holderman

William H. Sterrett / Muriel Sterrett

Street Address: 3404 Glenhurst Avenue

2704 Springfield Avenue

City: Fort Wayne

State: In

Zip: 46805

Phone: 219-483-8760

Ft. Wayne, In 46805

(If additional space is needed please attach a separate page)

219-484-8821

Applicants Name (if different from above):

Street Address:

City:

State:

Zip:

Phone:

I/We, your petitioners, file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance. I/We agree to abide by all provisions of the Fort Wayne Zoning Ordinance and/or Subdivision Control Ordinance, as well as all procedures and policies of the Fort Wayne City Plan Commission as those provisions, and policies relate to the handling and disposition of this petition. I/We also certify that this information is true and accurate to the best of my/our knowledge.

Signature

Printed Name

Date

3404 Glenhurst Avenue

Address

Ft. Wayne, Indiana 46805

Muriel Sterrett
Signature

WILLIAM H. STERRETT
City/State/Zip

MURIEL STERRETT
Printed Name

4-11-95
Date

2704 Springfield Avenue

Address

Ft. Wayne, Indiana 46805

City/State/Zip

(Over please)

Agents Name (Please print legibly): _____

Street Address: _____

City: _____

State: _____

Zip: _____

Phone: _____

NOTICE:

- Legal description is to be of the area to be vacated and must be complete and correct. If necessary a licensed surveyor's legal description may be required.
- All adjacent property owner's signatures must accompany this application.
- Applicant is hereby informed that in the case of a utility being located in a public way or easement, the applicants may be required to bear the cost of relocation, or of providing a replacement easement or easements as needed.
- Applicant is also hereby informed that the vacation of a subdivision plat does not necessarily vacate any dedicated right-of-way(s) or utility easement(s), nor any restrictive covenants that may apply.

For Office Use Only:

Receipt #:

Date Filed:

Map #:

Reference #:

RESOLUTION 82-97-8

WHEREAS, LOU ANN D. HOLDERMAN, RICHARD L. HOLDERMAN, WILLIAM H. STERRETT, and MURIEL STERRETT have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated right-of-way situated in Fort Wayne, Allen County, to-wit:

The eastern most five (5) feet of Springfield Avenue.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-3-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated right-of-way has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated right-of-way hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated right-of-way hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of dedicated right-of-way or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN)

I, LINDA BUSKIRK, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held WED, NOV. 8, 1995 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 8 DAY OF Nov. 1995

FORT WAYNE BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Chairman, Board of Public Works

C. James Owen
C. James Owen
Member, Board of Public Works

Terrance P. McCaffrey
Terrance P. McCaffrey
Member, Board of Public Works

RESOLUTION

WHEREAS, LOU ANN D. HOLDERMAN, RICHARD L. HOLDERMAN, WILLIAM H. STERRETT, and MURIEL STERRETT have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated right-of-way situated in Fort Wayne, Allen County, to-wit:

The eastern most five (5) feet of Springfield Avenue.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-3-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said public hearing was held on May 15, 1995 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated right-of-way.

WHEREAS, said vacation of dedicated right-of-way has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated right-of-way hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated right-of-way hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated right-of-way or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.


BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated right-of-way in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Carol Kettler Sharp, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held, May 22, 1995 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 6th DAY OF November, 1995

FORT WAYNE CITY PLAN COMMISSION



Carol Kettler Sharp
Secretary

FACT SHEET

G-95-05-05

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE

APPROVAL DEADLINE REASON

Street Vacation Ordinance

DETAILS

<p>Specific Location and/or Address The eastern most five (5) feet of Springfield Avenue right-of-way.</p>
<p>Reason for Project</p> <p>To prevent access of through vehicle traffic to and from the former Mutual Security Life site located directly to the east of the right-of-way to be vacated.</p>
<p>Discussion (including relationship to other Council actions)</p> <p><u>15 May 1995 - Public Hearing</u></p> <p>Tom Niezer, attorney for the petitioners as well as the Kirkwood Park Community Association, appeared before the Commission. Mr. Niezer stated that the reason for the vacation request is that the Kirkwood Park Community Association and the two petitioners are seeking to prevent any commercial access from the former Mutual Security Life property onto Springfield Avenue. He stated that this access was never greatly used, if at all, by the former MSL facility. He stated that two years ago when Lowe's was considering developing on the site their development plans did not call for using this particular access point. He stated that the proposed new postal facility on the south side of the MSL property does not intend to use this as an access point. He stated that it is their opinion that vacating this portion of right-of-way will not adversely affect the MSL property, nor will the development of the property be affected. He stated that they are trying to be pro-active. He stated that they have prepared, in draft form, a roadway ease-</p>

POSITIONS

RECOMMENDATIONS

Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Richard L & Lou Ann E Holderman / Wm H & Muriel City Departmentsterrett Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Franklin Skees, 2620 Springfield Avenue appeared before the Commission in favor of the request. He stated that the intersection, to his knowledge for at least 30 years, has never been open to traffic. He stated that they felt opening that intersection at any time, would create a tremendous traffic flow into their neighborhood.

There was no one else who spoke in favor of or in opposition to the proposed vacation.

22 May 1995 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation, contingent upon the petitioners providing utility easements or relocations as needed, and recording a restrictive covenant that provides for the re-dedication of the vacated right-of-way, at no cost to the city, if the property to the east is developed into future single family residential uses.

Of the seven (7) members present, six (6) voted in favor of the motion, the Chair did not vote. Motion carried.

Members Present: Linda Buskirk, James Hoch, Thomas Quirk, Dave Ross, Carol Kettler Sharp, Mel Smith, Vicky VerPlanck

Members Absent: Ernest Evans, Donald Schmidt

ment and maintenance agreement, which would basically provide for a cross easement between the two petitioners. He stated that it also provides for a commitment by the community association to maintain this area. He stated that they are unaware of any utilities requiring easements, but if they do they are willing to grant them as needed. He stated that they have provided formal notice of this requested vacation to the 3000 Coliseum Blvd., Partnership Group last Friday. He stated that they have had a couple of meetings with Barry Sturges, who is a member of the Partnership Group, and he is aware of the petition. He stated that they have had discussions with the Traffic Engineering Department and they have suggested the possibility of requesting the petitioners to agree to the concept, that if, for some reason the former MSL property might be rezoned to single family residential, that they would agree to reopen this portion of street. He stated that they have discussed that in general with Board Members of the Association and the petitioners, and in concept, they have no problem with that request. He stated that they will cooperate with the city, if that request is made by Traffic Engineering. He stated that they may need to ask for a deferral at the Business Meeting (May 22, 1995) in order to modify the agreement to include the Traffic Engineering Department's request.

Dave Ross questioned if this portion of street was currently being used for access.

Mr. Neizer stated that it is not.

Project Start

Date 4-12-95

Projected Completion or Occupancy

Date 11-15-95

Fact Sheet Prepared by

Date 11-15-95

Patricia Biancanello

Reviewed by

Date

11-20-95

Reference or Case Number

ORIGINAL

ORIGINAL

#581

DIGEST SHEET

TITLE OF ORDINANCE Street Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE The eastern most five (5) feet of
Springfield Avenue right-of-way.

2-95-05-05

EFFECT OF PASSAGE Property is currently dedicated public right-
of-way. Property will be vacated and return to the ownership
of the adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain dedicated public
right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE) _____



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

November 29, 1995

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of December 2, 1995, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-95-10-05
Utility Easement Vacation Ordinance

Bill No. G-95-05-05
Street Vacation Ordinance

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne

ENCL: 2

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-95-05-05)

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, DECEMBER 19, 1995 AT 5:30 P.M., (EST) IN THE COMMON COUNCIL CONFERENCE ROOM 128, CITY-COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

The eastern most five (5) feet of
Springfield Avenue

ALL INTERESTED PARTIES ARE INVITED TO APPEAR AND BE HEARD.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200. AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

November 29, 1995

Richard Holderman
3404 Glenhurst Avenue
Fort Wayne, IN 46805

NOTICE OF PUBLIC HEARING ON BILL NO. G-95-05-05

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, December 19, 1995, at 5:30 o'clock, in the Common Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

The eastern most five (5) feet of Springfield
Avenue

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

FORT WAYNE COMMON COUNCIL

Sandra E. Kennedy
City Clerk

FW COMMON COUNCIL
(Governmental Unit)

To: The News-Sentinel
P.O. Box 100
Fort Wayne, IN

ALLEN County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

66 lines, 1 columns wide equals 66 equivalent lines
at .33 cents per line

\$ 21.78

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 22.78

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the

same has been paid
NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-95-1005)

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, DECEMBER 19, 1995 AT 5:30 P.M. (EST) IN THE COMMON COUNCIL CONFERENCE ROOM 128, CITY-COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

The vacation of eight (8) easements in the plat of Tarmans Place, recorded in plat book 42, pages 9-12, and vacated in general ordinance G-16-88:

1. The 14-foot wide utility easement between Lots #7 and #8, except the Easterly 14 feet thereof;
2. The 6-foot wide street light easement between Lots #8 and #9, except the Easterly 14 feet thereof;
3. The 6-foot wide street light easement between Lots #10 and #11, except the Southerly 15 feet thereof;
4. The 6-foot wide street light easement between Lots #12 and #13, except the Southerly 15 feet thereof;
5. The utility easement between Lots #15 and #18, except the Northerly 7 feet thereof;
6. The 15-foot wide sewer easement along the Easterly line of Lot #17, except the northerly 7 feet thereof;
7. The 15-foot sewer easement along the frontage of Lots #12 and #13, #11, #12, #13, and #14;
8. The 14-foot wide utility easement along the West line of Lot #14, except the Southerly 15 feet and except the Northerly 35 feet thereof;

Also the vacation of the 15-foot wide storm drain easement as recorded in Document #3-27169, except the Southerly 15 feet, thereof and except the Northerly 35 feet thereof.

ALL INTERESTED PARTIES ARE INVITED TO APPEAR AND BE HEARD.

REASONABLE ACCOMMODATIONS FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE AND FEDERAL LAWS. ANY PERSON NEEDING A REASONABLE ACCOMMODATION SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.
SANDRA E. KENNEDY
CITY CLERK
12-2

998592

19 95

Title:

Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

I personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L ROHYANS who, being duly sworn, says that he/ she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows:

12-2-95

Subscribed and sworn to before me this 2nd day of DEC, 19 95

Notary Public

MARY L SCHNEIDER

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

MY COMMISSION EXP JUNE 14, 1997

FW COMMON COUNCIL
(Governmental Unit)

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

ALLEN County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

66 lines, 1 columns wide equals 66 equivalent lines
at .33 cents per line

\$ 21.78

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 22.78

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: DEC 2, 19 95

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L ROHYANS who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows:

12-2-95

Subscribed and sworn to before me this 2nd day of DEC, 19 95

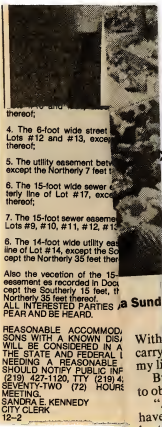
Notary Public

MARY L SCHNEIDER

My commission expires: NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

MY COMMISSION EXP JUNE 14, 1997



REASONABLE ACCOMMODATIONS WITH A KNOWN DISABILITY WILL BE CONSIDERED IN A PUBLIC HEARING. A REASONABLE NOTICE SHOULD BE GIVEN. (219) 427-1120, TTY (219) 427-1120, TDD (219) 427-1120. MEETING: SEVENTY-TWO (72) HOURS BEFORE THE HEARING. SANDRA E. KENNEDY, CITY CLERK, 12-2

With carry my li to ob have

FW COMMON COUNCIL

(Governmental Unit)

To:

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

ALLEN

County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
 -- number of equivalent lines _____

Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice _____

COMPUTATION OF CHARGES

66 lines, 1 columns wide equals 66 equivalent lines
 at .23 cents per line

\$ 21.78

Additional charge for notices containing rule or tabular work
 (50 percent of above amount) _____

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) _____

1.00

TOTAL AMOUNT OF CLAIM

\$ 22.78

DATA FOR COMPUTING COST

Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits, and that no part of the

NOTICE OF PUBLIC HEARING
 FORT WAYNE COMMON COUNCIL
 (B.L.L. NO. 9-95-10-95)

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, DECEMBER 19, 1995 AT 5:30 P.M. (EST) IN THE COMMON COUNCIL CONFERENCE ROOM 128, CITY-COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

The vacation of eight (8) easements in the plat of Tamere Place, recorded in plat book 42, pages 9-12, and vacated in general ordinance 3-16-88.

1. The 14-foot wide utility easement between Lots #7 and #8, except the Easterly 14 feet thereof;

2. The 8-foot wide street light easement between Lots #8 and #9, except the Easterly 14 feet thereof;

3. The 8-foot wide street light easement between Lots #10 and #11, except the Southerly 15 feet thereof;

4. The 8-foot wide street light easement between Lots #12 and #13, except the Southerly 15 feet thereof;

5. The utility easement between Lots #15 and #16, except the Northerly 7 feet thereof;

6. The 15-foot wide sewer easement along the Easterly line of Lot #17, except the Northerly 7 feet thereof;

7. The 15-foot sewer easement along the frontage of Lots #9, #10, #11, #12, #13, and #14;

8. The 14-foot wide utility easement along the West line of Lot #14, except the Southerly 15 feet and except the Northerly 35 feet thereof;

Also the vacation of the 15-foot wide storm drain easement as recorded in Document #93-27169, except the Southerly 15 feet, thereof and except the Northerly 35 feet thereof.

ALL INTERESTED PARTIES ARE INVITED TO APPEAR AND BE HEARD.

REASONABLE ACCOMMODATIONS FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE AND FEDERAL LAW. ANY PERSON NEEDING A REASONABLE ACCOMMODATION SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
 CITY CLERK

#988592

_____, 19 95

Title:

Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L. ROHYANS who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time _____, the dates of publication being as follows:

12-2-95Subscribed and sworn to before me this 2nd day of DEC, 19 95.

Notary Public

MARY L SCHNEIDER

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

My commission expires:

MY COMMISSION EXP JUNE 14, 1997

FW COMMON COUNCIL
(Governmental Unit)
ALLEN County, Indiana

To: **The Journal-Gazette** Dr.
P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines _____

Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice _____

COMPUTATION OF CHARGES

66 lines, 1 columns wide equals 66 equivalent lines
at .33 cents per line \$ 21.78

Additional charge for notices containing rule or tabular work
(50 percent of above amount) _____

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) 1.00

TOTAL AMOUNT OF CLAIM \$ 22.78

DATA FOR COMPUTING COST

Width of single column 12.5 ems
Number of insertions 1
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: DEC 2, 19 95 Title: _____ Clerk Julie L. Rohys

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L. ROHYS who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time _____, the dates of publication being as follows:

12-2-95

Subscribed and sworn to before me this 2nd day of DEC, 19 95.

Mary L. Schneider
Notary Public
MARY L. SCHNEIDER
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14, 1997

Manufacturers Sup
are Windsor Chairs
Choose from 3 other
Lots #12 and #13, except the Southerly 15 feet thereof;
5. The utility easement between Lots #15 and #16, except the Northerly 7 feet thereof;
6. The 15-foot wide sewer easement along the Easterly line of Lot #17, except the Northerly 7 feet thereof;
7. The 15-foot sewer easement along the frontage of Lots #9, #10, #11, #12, #13, and #14;
8. The 14-foot wide utility easement along the West line of Lot #14, except the Southerly 15 feet end except the Northerly 35 feet thereof;
Also the vacation of the 15-foot wide storm drain easement as recorded in Document #93-27189, except the Southerly 15 feet, thereof end except the Northerly 35 feet thereof.
ALL INTERESTED PARTIES ARE INVITED TO APPEAR AND BE HEARD.
REASONABLE ACCOMMODATIONS FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE AND FEDERAL LAW. ANY PERSON NEEDING A REASONABLE ACCOMMODATION SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.
SANDRA E. KENNEDY
CITY CLERK
12-2 #988592